IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7581 of 2006()

CMP.5463/2006 of J.M.F.C.,THIRUVALLA
CR 68/06 of Excise Range, Thiruvalla

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PETITIONERS/ACCUSED:

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1. SAJU K.S., S/O. ZKARIA,
KOLLAMKUDIYIL HOUSE, AZHAKKARANADU, MANEED VILLAGE
MUVATTUPUZHA, ERNAKULAM.

2. BASIL T.J., S/O.T.C.JOSE,
THARAKKANAL VEEDU, AZHAKKARANADU, MANEED VILLAGE,
MUVATTUPUZHA, ERNAKULAM.

BY ADV. SRI.M.S.MANIKANDAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,EXCISE RANGE,
THIRUVALLA BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. Ramkumar, J.

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B.A.No.7581 of 2006

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Dated this the 21st day of December, 2006.

ORDER

Petitioners, who are accused Nos. 1 and 2 in CR No.68 of 2006 of Excise Range, Thiruvalla for offences punishable under Sections 55 (a) and 67(b) of the Abkari Act for allegedly having been found in joint possession of 4194 liters of spirit on 6.11.2006 and who were also arrested on the same day, seek their enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

ess 21/12